

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 4, 2008
SAN FRANCISCO, CALIFORNIA**

S147999 A110449/A110450/A110451/A110463/A110651/A110652

First Appellate District, Div. 3 **MARRIAGE CASES, IN RE**

Rehearing denied

The requests for judicial notice filed on May 22, 2008, by the Proposition 22 Legal Defense and Education Fund and on May 30, 2008, by the Campaign for California Families are granted in part and denied in part. The requests for judicial notice of the information regarding authentication of signatures on the "Limit on Marriage" initiative published by the Secretary of State at http://www.sos.ca.gov/elections/pend_sig/init_sample_1298.pdf are granted. In all other respects, the requests for judicial notice are denied.

The request for judicial notice filed on May 28, 2008, by the City and County of San Francisco is granted.

The petition for rehearing filed by the Proposition 22 Legal Defense and Education Fund on May 22, 2008, is denied.

The petition for rehearing and motion for stay filed by the Campaign for California Families on May 30, 2008, is denied.

Baxter, Chin, and Corrigan, JJ., are of the opinion rehearing should be granted.

The request to stay the effective date of the decision of the court filed on May 15, 2008, until after the November 2008 election is denied.

The decision filed on May 15, 2008, will become final on June 16, 2008 at 5 p.m.

S157333

**HOLTSINGER (MICHAEL)
ON H.C.**

Petition ordered withdrawn (criminal case)

Pursuant to written request of petitioner the above-entitled petition for writ of habeas corpus is ordered withdrawn.

S159282 H031292 Sixth Appellate District

R. (JULIAN), IN RE

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to June 13, 2008.

S161385 B193713 Second Appellate District, Div. 7 **SCHACHTER (DAVID B.) v. CITIGROUP, INC.**

Extension of time granted

On application of plaintiff and appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to August 15, 2008.

S161545 A114612 First Appellate District, Div. 2 **PEOPLE v. WYATT (REGINALD)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Waldemar D. Halka is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before 30 days from the date respondent's opening brief on the merits is filed.

S161825 C052350 Third Appellate District **PEOPLE v. PUNCH (JOSEPH CHARLES)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Audrey R. Chavez is hereby appointed to represent appellant on the appeal now pending in this court.

S050583 **PEOPLE v. HOWARD (DEMETRIUS CHARLES)**

Order filed

Appellant's "Application and Declaration For Leave To File Appellant's Supplemental Reply Brief That Exceeds The Word Limit" is granted.

S154741 **SUSPENSION DUES - NONPAYMENT**

Order filed

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on July 30, 2007, effective August 16, 2007, be amended nunc pro tunc to strike the name CARLA JO DAKIN, #78752.

S155589 C052177 Third Appellate District

**MORONGO BAND OF
MISSION INDIANS v. STATE
WATER RESOURCES
CONTROL BOARD**

Order filed

The application of amicus curiae San Luis & Delta-Mendota Water Authority and Westlands Water District to file a response to opposition to request for judicial notice is hereby denied.

S163927

**LOCKHART ON
RESIGNATION**

Resignation declined

This court having received and considered the voluntary resignation of KERRY LEE LOCKHART, State Bar No. 182690, as a member of the State Bar of California, declines to accept the resignation. (Cal. Rules of Court, rule 9.21(d).)

S163928

KAPLAN ON RESIGNATION

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of GARY L. KAPLAN, State Bar No. 88484, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 9.20 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* It is recommended that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S163943

NIELSEN ON RESIGNATION

Resignation declined

This court having received and considered the voluntary resignation of JEFFREY RAY NIELSEN, State Bar No. 202862, as a member of the State Bar of California, declines to accept the resignation. (Cal. Rules of Court, rule 9.21(d).)

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 4, 2008
LOS ANGELES, CALIFORNIA**

The Supreme Court of California convened in its courtroom in the Ronald Reagan State Office Building, Third Floor, South Tower, 300 South Spring Street, Los Angeles, California, on Wednesday, June 4, 2008, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan.

Officers present: Frederick K. Ohlrich, Clerk, and Gail Gray, Calendar Coordinator.

S154018

In re Sandra Davis Lawrence on Habeas Corpus.

Cause called. Julie Garland, Office of the Attorney General, argued for Respondents.

Carrie L. Hempel argued for Petitioner.

Ms. Garland replied.

Cause submitted.

S155872

In re Richard Shaputis on Habeas Corpus.

Cause called. Dane R. Gillette, Office of the Attorney General, argued for Respondents.

Monica Knox, Office of the Federal Defender, argued for Petitioner.

Marc Grossman argued for Petitioner.

Mr. Gillette replied.

Cause submitted.

S147190

Raymond Edwards, Plaintiff and Appellant,
v.
Arthur Andersen LLP, Defendant and Respondent.

Cause called. Wayne S. Flick argued for Respondent.
Richard A. Love argued for Appellant.

Mr. Flick replied.
Cause submitted.

S070839

The People, Respondent,
v.
Paul Joe Carasi, Appellant.

Cause called. Eric Multhaup, Court-appointed Counsel, argued for
Appellant.
Ana R. Duarte, Office of the Attorney General, argued for
Respondent.

Mr. Multhaup replied.
Cause submitted.

Court adjourned.

